

**EXHIBIT**

**CITY OF CLEVELAND  
BOARD OF BUILDING STANDARDS & BUILDING APPEALS**

**DO NOT WRITE IN THIS SPACE**DOCKET NO. A-35-05

NOTICE OF THIS APPEAL HAS BEEN FURNISHED TO THE ADMINISTRATIVE OFFICIAL UPON  
WHOSE DECISION THIS APPEAL IS BASED. YES X NO     

**APPEAL FROM ADMINISTRATIVE DECISION**DATE 3/10/2003

APPELLANT/OWNER OF RECORD Richard Dant  
MAILING ADDRESS PO Box 10092 Cleveland OH 44110  
(street) (city) (state) (zip code)  
AGENT/ATTORNEY G. Goff  
MAILING ADDRESS PO Box 10092 Cleveland OH 44110  
(street) (city) (state) (zip code)  
HEARING NOTICE TO BE MAILED TO: Dant  
Goff

Request is herewith made for hearing before the Board of Building Standards and Building Appeals for variance from the determination of the,

✓ COMM. OF BLDG./HOUS.      DIV. OF FIRE      OTHER     

LOCATION OF PREMISES 810 E 15<sup>th</sup> STREET

NUMBER OF STORIES 1.25 (AKA 810-12 EAST 15<sup>th</sup> STREET)

OCCUPANCY CLASSIFICATION: RESIDENTIAL ☐ ASSEMBLY ☐ BUSINESS ☒  
INDUSTRIAL ☐ OTHER     

ATTACHED AND MADE A PART OF THIS APPEAL, THE FOLLOWING IS SUBMITTED:

- ① Violation Notice.
- ② Appeal Statement.
3. Drawings, Sketches or Photographs.
4. Letter from Owner Authorizing the Appeal.

SIGNATURE R. DantPRINT NAME R. DantTITLE OwnerPHONE NO. 216-457-6211**RECEIVED**

MAR 10 2003

"BOARD OF BUILDING STANDARDS  
AND BUILDING APPEALS"

A-35-03

THE CITY OF CLEVELAND  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
DIVISION OF BUILDING & HOUSING  
601 LAKESIDE AVE CLEVELAND, OH 44114

## NOTICE OF VIOLATION OF HOUSING ORDINANCES

WARD: 10  
CT: 1173.00  
PROPERTY ADDRESS: 810 E 152 ST  
AKA: 810-12 E 152

DATE: 03/07/2003 cs  
PPN: 115-09-011  
PHONE:

## ----- RESPONSIBLE PARTY(S) -----

RICHARD DAVET (OWNER)  
810 E 152ND  
CLEVELAND, OH 44110

RICHARD F DAVET (TAX MAILING)  
24800 COMMUNITY AV.  
BEACHWOOD, OH 44122-1044

NATIONAL CITY BANK (MORTGAGO)  
1900 E 9TH ST.  
CLEVELAND, OH 44114

PRAMCO II LLC (MORTGAGOR)  
1387 FAIRPORT RD. S-750  
FAIRPORT, NY 14450

GLS CAPITAL CUYAHOGA INC.  
YEAR 1996-97, 98  
310 W LAKESIDE AV. STE#595  
CLEVELAND, OH 44113



DWELLING UNITS :  
OCCUPANCY / USE: COMMERCIAL  
KIND OF STRUCTURE: 2 STY MASONRY  
ZONING DISTRICT: LOCAL RETAIL C-2  
TYPE OF VIOLATION: FORTHWITH COND  
TYPE:

INSPECTION DATE: 03/06/2003  
MASTER # : 203066016

THIS NOTICE SHALL BE COMPLIED WITH AND ALL VIOLATIONS CORRECTED BY 03/07/2003

FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN PROSECUTIVE ACTION OR OTHER PENALTY AS PROVIDED BY LAW 3103.99. SECTION 367.09, 3103.09 AND 329.02 OF THE CODIFIED ORDINANCES, AND SECTION 4101:2-1-76 OF THE OHIO BASIC BUILDING CODE, PROVIDES THE RIGHT TO APPEAL THIS ORDER TO BOARD OF BUILDING STANDARDS AND BUILDING APPEALS FOR BUILDING CODE VIOLATIONS, OR TO THE STATE BOARD OF BUILDING APPEALS FOR THE VIOLATIONS OF THE OHIO BASIC BUILDING CODE. DURING THE PENDENCY OF THIS NOTICES, AN APPEAL TO THE BOARD OF BUILDING STANDARDS & BUILDING APPEALS MAY BE FILED IN ROOM 515, 601 LAKESIDE AVE, CLEVELAND OH 44114 OR THE STATE BOARD OF APPEALS

\*\*\*\*\*  
FAILURE TO COMPLY WITH THIS NOTICE SHALL RESULT IN THE DEMOLITION OF THE BUILDING(S). ANY AND ALL COSTS INCURRED BY THE CITY FOR THE DEMOLITION OF THE BUILDING(S) SHALL BE PAID BY THE OWNER(S) OF RECORD. IF THE OWNER(S) FAILS TO PAY FOR THE COSTS WITHIN THIRTY (30) DAYS, LEGAL ACTION SHALL BE INITIATED TO COLLECT THE DEBT.  
\*\*\*\*\*

PLEASE CONTACT THE INSPECTOR UPON RECEIPT OF THIS NOTICE

SEQ SECTION COMPLY NATURE OF VIOLATION:

03/07/03

RE: 810 E 152 ST

PAGE: 0002

SEQ NO.	SECTION VIOLATED	COMPLY DATE	NATURE OF VIOLATION: FORTHWITH CONDEMN MS
1	3103.09/3101.10	03/07/2003	DUE TO DETERIORATION SET FORTH HEREIN, THIS STRUCTURE SHALL BE EFFECTIVELY BOARDED IN ACCORDANCE WITH REGULATIONS ADOPTED PURSUANT TO SECTION 3103.09 (d) (4) OF THE CODIFIED ORDINANCES, OR THE VIOLATIONS SET OUT BELOW SHALL BE CORRECTED BY COMPLETE REPAIR AFTER ALL REQUISITE PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO THE DIVISION OF BUILDING AND HOUSING, AND ALL REQUISITE PERMITS HAVE BEEN OBTAINED, ALL IN ACCORDANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF CLEVELAND AND WITH THE OHIO BASIC BUILDING CODE.
2	3103.09/3101.10	03/07/2003	PARTS OF THIS STRUCTURE SET OUT BELOW ARE DETERIORATED:
3		03/07/2003	DETERIORATED - ROOF - ROOF RAFTERS, SHEATHING, ROOFING, #JOIST ____
4		03/07/2003	DETERIORATED - WALLS - BEARING, NON-BEARING, WALL STUDS, INTERIOR & EXTERIOR
5		03/07/2003	DETERIORATED - FLOORS - FLOOR DECK, #JOIST ____, BEAMS, OTHER FRAMING
6		03/07/2003	DETERIORATED - OPENINGS - DOORS
7		03/07/2003	DETERIORATED - FINISHING - LATH, PLASTER TRIM AND MOULDING
8		03/07/2003	DETERIORATED - STAIRS - STRINGERS, RISERS, TREADS, ENCLOSURE WALLS
9		03/07/2003	DETERIORATED - BUILDING EQUIPMENT - PLUMBING, HEATING, ELECTRICAL
10	3101.10(e)	03/07/2003	MAINTAIN THE STREET PAVEMENT, TREE LAWN, SIDEWALKS AND PREMISES CLEAN OF ALL DIRT,

**RECEIVED**

MAR 10 2003

"BOARD OF BUILDING STANDARDS  
AND BUILDING APPEALS"

03/07/03

RE: 810 E 152 ST

PAGE: 0003

SEQ SECTION  
NO. VIOLATED

COMPLY  
DATE

NATURE OF VIOLATION:  
FORTHWITH CONDEMN MS

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TRASH AND DEBRIS.

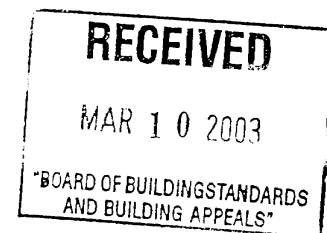
11 3105.01

03/07/2003 SECURE THE REQUIRED PERMITS FROM THE  
DIVISION OF BUILDING AND HOUSING PRIOR TO  
MAKING ANY REPAIRS.

TO CONTACT YOUR INSPECTOR CALL MONDAY THRU FRIDAY.

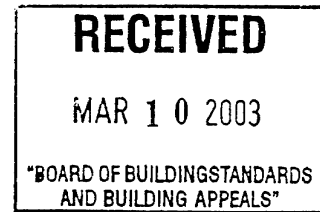
INSPECTOR: WILLIAM URBAN

PHONE: (216) 664-2137



A-35-03

DATE: 03/07/2003



VIOLATION NOTICE AND DEMO LETTER TO BE SENT OUT REGULAR AND CERTIFIED.

NOTICE OF VIOLATION OF BUILDING ORDINANCES

PURSUANT TO SECTION 3103.09, 367.04, 369.19 AND 369.21 OF THE CODIFIED ORDINANCES OF THE CITY OF CLEVELAND, THE COMMISSIONER OF BUILDING AND HOUSING DOES HEREBY DECLARE THE STRUCTURE KNOWN AS AND LOCATED AT :  
810 E 152 ST CLEVELAND, OHIO  
TO BE A PUBLIC NUISANCE IN THAT IT CONSTITUTES AN EMINENT DANGER AND PERIL TO HUMAN LIFE AND PUBLIC HEALTH, SAFETY AND WELFARE, AND THAT THE AFORESAID CONDITION CONSTITUTES AN EMERGENCY. THEREFORE, YOU ARE HEREBY NOTIFIED THAT THE CITY OF CLEVELAND PURSUANT TO SAID SECTION 3103.09, 367.04, 369.19 AND 369.21 OF THE CODIFIED ORDINANCES WILL SUMMARILY ABATE SAID PUBLIC NUISANCE CREATED AS A RESULT OF SAID EMERGENCY BY DEMOLITION OF THE STRUCTURE IF THE VIOLATIONS LISTED IN THE ATTACHED NOTICE ARE NOT ENTIRELY CORRECTED BY THE DATE SET FORTH IN SAID NOTICE.

A handwritten signature in black ink, appearing to read "B. Butcher".

COMMISSIONER OF BUILDING AND HOUSING

THIS NOTICE WAS PERSONALLY DELIVERED BY THE UNDERSIGNED ON THIS

10 DAY OF March 2003 AT 11 O'CLOCK BY LEAVING

WITH W. M. [Signature]

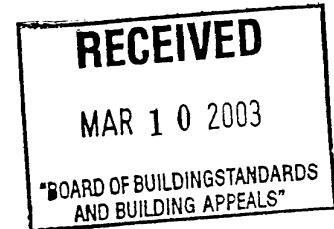
cc: L. Weems  
R. Keiser

A-35-03

Richard F. Davet  
PO Box 10092  
Cleveland, OH 44110  
Phone 216-451-6211  
Fax 216-451-3350  
E-Mail: [rfdavet@juno.com](mailto:rfdavet@juno.com)

Monday, March 10, 2003

Cleveland Board of Building Standards  
And Building Appeals  
601 Lakeside Avenue  
Room 516  
Cleveland, OH 44114



RE: APPEAL OF NOTICE OF VIOLATIONS OF HOUSING ORDINANCES,  
810 EAST 152 STREET  
PPN:115-09-011

Gentlepeople:

Please be advised that on March 10, 2003 I received a Notice of Violation of Housing Ordinances, a copy of which is attached hereto and incorporated by reference herein and marked as Exhibit "A". Please accept this letter as my Appeal to the Board of Building standards and Building appeals for the Building Code violations referenced in the attached Exhibit "A"

As grounds for this Appeal, I state that the Notice of Violation constitutes action which is arbitrary and capricious and I further state that the Notice of Violation is in violation of due process of law and contrary to professional opinions secured by the owner in their securing quotes for repair of the premises.

For these reasons, I file this Notice of Appeal and ask that the Notice of Violations of Housing Ordinances served upon me with reference to the above captioned property be vacated and/or voided.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "R. Davet", written over a horizontal line.

Richard F. Davet

Rfd/cc